



The small hilltop home was fully involved upon arrival of first units. A second alarm was called to keep fire out of surrounding brush.

Profiles in Arson: The Revenge Firesetter

Continuing our series on the many faces of arson, this month we examine the revenge fire setter. Revenge-motivated arson is the most common type of intentional firesetting. The case detailed here is as dramatic as any episode of *Miami Vice*; it involves drug dealers, a posh, upper-class neighborhood and a marriage gone sour. Its disposition includes testimony by a criminal "snitch" who turned out to be more trouble than he was worth.

By JOHN ORR
AFJ Correspondent

Photos courtesy Glendale Fire Dept. Fire Investigation Unit.

The burning home was well-protected from view. It perched high above the street at the end of a long driveway in exclusive Chevy Chase Estates. Although it had ignited only seconds before, and despite its remoteness, already a dozen people had reported the huge column of thick black smoke.

That morning, the Southern California skies were uncharacteristically clear. A brisk wind had cleared away the early smog created by commuters, so literally thousands of people in the city below saw the fire. It was only March, too early for a brush fire, but, nevertheless, the first calls to the fire department reported a brush fire.

Dispatchers debated what kind of

equipment to send, knowing that the hills were still green and a brush fire of any magnitude was highly unlikely. They opted to dispatch the usual complement of two engines and a ladder truck, but quickly added an additional engine as the calls continued, now reporting a home burning.

One of the city's arson investigators, driving two miles south of the fire, heard the radio dispatch and looked to the northeast. He was amazed at the black column of smoke. The force with which the smoke was being pushed into the sky indicated a large volume of fire, most assuredly fed by a petroleum product.

Normal, *accidental* fires, feeding on common combustibles found in

homes, create a light-to-dark gray smoke in their early stages. Only later, after the fire is well advanced, does the smoke turn black. As he drove towards the inferno, the investigator thought to himself that only gasoline could have created the effect he was witnessing.

Meanwhile, at the fire scene, firefighters were finding it difficult to get close to the inferno. The narrow, winding driveway made a sharp right turn as it approached the parking area, and Engine 23 was unable to navigate the bend. The steep bank on one side added to the problem by cutting off access through the driveway on the right.

Firefighters had effected entry for search and rescue, even though they already knew that anyone inside had to be dead by now. As the fire was knocked down, portions of the roof began to collapse and rain down on them. An air conditioner, mounted on the roof, dropped heavily into the house and drove the firefighters back even further.

The remaining fire fight was accomplished from the exterior. Second-alarm units arrived and provided manpower to complete extinguishment and overhaul of the remains.

It was then that they found that the home was very small, only about 1,000 square feet, unusual for this neighborhood. The interior was gutted; nothing appeared salvageable. No one was found in the house, and neighbors indicated that both residents were day workers. One neighbor found the work number of the owner and notified him of the fire.

The investigator found two trash containers near the garage, which was below the level of the house, nearer the street. He sifted through the cans, knowing that a person's trash provides a wealth of information on his or her habits, history and life.

Then, as firefighters put out the last embers, they stumbled across a two-and-one-half gallon gasoline can in the living room. They notified the investigator.

The gas can, laying on its side with its lid missing, still gave off a strong gasoline odor. The area around the can also smelled like gasoline. Corresponding burn damage on the home's structural members and furniture further confirmed that at least two-and-a-half gallons of the fluid had been poured around the house.

Near the gas can, an axe and a pick were found on the living room floor at



Fire was so intense at the rear of the structure that firefighters had difficulty approaching from this steep slope.

the edge of a hallway. They were just lying there, side by side, as if deliberately placed. There were no shelves or walls nearby from which they could have fallen. Their handles were burned completely off.

Further investigation showed a second point of origin in the den and a third in an attached laundry room on the north side of the building. It appeared that the pick and axe may have been abandoned by burglars when the fire spread faster than expected after they poured and ignited gasoline on the floors.

This was a significant fact in providing a motive for the fire. Typical burglars do not set fires to cover their crimes. They wish only to slip in, take what they want and rapidly exit with their goods. Instead, the aggressive act of destroying the home by use

of flammable liquids *could* indicate the owner's involvement, in hopes of concealing valuables somewhere else and later claiming to an insurance company that they were destroyed in the fire.

Samples of carpeting and baseboard material were taken for analysis. It was found that the origin in the living room and den were connected by a trail of the flammable liquid that indicated they were ignited simultaneously, not separately, as first thought.

The laundry room fire, however, was distinctly separate from that inside the house. Investigators felt that the amount of flammable liquid used and the pour pattern indicated a strong motivation to destroy the entire structure. This could indicate an attempted insurance fraud or a strong revenge motivation. *Continued on next page*



Narrow, winding roads and a steep driveway hampered suppression forces.

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The owner/victim arrived and stated that he and his wife had left the house at about 8 a.m. for work. The house was secured, although they did not have an alarm system. As other basic information was elicited from the owner it was found that he and his wife had lived in the small house for over 20 years, the house was paid for and they were experiencing no financial problems. It was at this time that the owner admitted his son-in-law might be responsible for the fire.

The owner's daughter had been experiencing marital problems for several years, due to her husband's alcohol and drug abuse. Recently, the parents had arranged to rent an apartment for her and her three-year-old son. They selected a time and day when they knew their son-in-law would not be home and spirited away their daughter to the apartment, in a town 20 miles away.

The son-in-law had called repeatedly and tried to learn where his wife was, but the parents refused to reveal her location. He came to the house once and the parents attempted to reason with the man and encourage him to seek medical help for his problems. He said that the daughter was the one with the drug problems and he only wanted to help her and their child.

The husband finally left when he found that the parents would not reveal his wife's whereabouts. He did not, however, make any threats towards the parents.

The episode with the estranged



Firefighters found a 2 1/2-gallon gasoline can inside the livingroom.

husband had taken place about three weeks before, and the parents had not seen him since, but he continued to call daily. They also had a feeling that the man had entered their house once while they were gone, about a week before. A skylight above a bathroom was loose and appeared to have been used as a means of entry.

The son-in-law was aware of the loose skylight and had used it before to enter the house when his wife forgot her keys to her parents house, they said. There was nothing missing but drawers appeared to have been rifled and other items such as a telephone directory had been disturbed.

This fire was obviously arson and a plausible suspect had been named while the embers were still warm. The

motivation, however, was still unclear. Revenge or retaliation was a possibility, but still seemed unrealistic.

Then an important fact was revealed in an interview with the daughter, later that same day. The daughter and estranged husband were in court at a child-custody hearing at the exact time the fire occurred—a perfect alibi for the husband!

The daughter stated that she had no conversation with her husband at the hearing, but that he was about 10 minutes late. Still, this did not give him sufficient time to set the fire and make it to the courthouse three miles away. Therefore, if he was indeed responsible, he would have had to have solicited someone else to burn the house.

A more indepth interview with the victims revealed no other motive for this fire. They were financially secure—the owner/husband was a machinist making good money and the wife was also employed. In addition, she operated a small sportswear business out of the now-destroyed house. Sportswear supplies were found by the investigator stored in the attached laundry room during the firescene investigation, and this further substantiated a strong revenge motive to destroy not only the home but the livelihood of the occupants.

A search of the home with the victims also revealed that numerous items had been removed from the house before it was ignited. Remains of a television set, several paintings and an expensive tapestry were not located. Even though the fire was intense, some remnants of these items should have been recognizable.

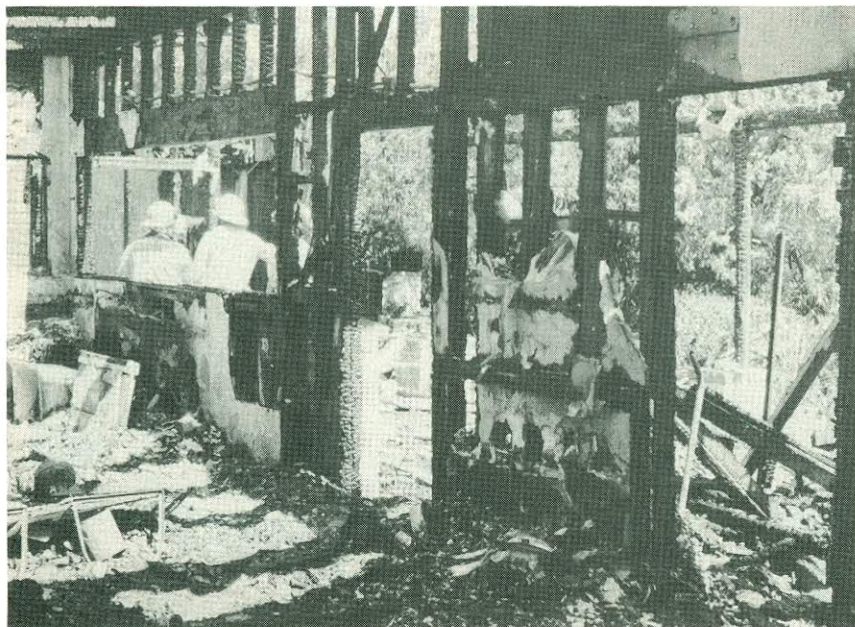
An inventory of the missing items became a vital link. Unknown to anyone at this point, a phone book and the victims' passports had been stolen.

Another break in the case occurred when the neighborhood around the fire was canvassed. A witness had actually seen two suspects in front of the house only minutes before the fire's discovery.

The witness' description included a black Mustang that drove away after dropping a man off at the driveway. Amazingly, the man had actually looked at the witness and said "hi" as he walked towards the house. The witness had then driven away, reassured that the suspect "belonged."

The suspects' descriptions were given to the victims' daughter. She said that they matched that of two

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The 1,000-square-foot structure was gutted by the fire.

From a statistical basis, the number of releases of hazardous materials has remained fairly steady, even though there has been an increase in the movement of hazardous goods. During 1987, there were 11 fatalities caused by the release of hazardous chemicals. Six deaths were caused by gasoline, and one each from anhydrous ammonia, hydrochloric acid, naphtha, explosives and sulphuric acid.

Another interesting statistic involves the causes of hazardous materials accidents. Of the total of 6,215 accidents, 3,966, approximately 63.8 percent, were caused by human error, while 1,907, or 30.7 percent, were caused by failure of the package. There were 312 accidental releases caused by either a vehicle accident or train derailment; these accounted for five percent of total incidents.

Finally, there were 30 incidents caused by other types of accidents. However, these amounted to only a half percent. It should be clear that a great deal of education is necessary to eliminate the human error factor as a cause of accidental release of hazardous materials.

Another major issue in transportation of hazardous materials is the enforcement program. The enforcement program is necessary if the public is to be assured that hazardous materials regulations are, in fact, being followed by shippers and transporters.

During 1987 the Department of Transportation employed 53 full-time hazardous materials inspectors. In addition, 1,455 parttime inspectors performed about 155 work years. As a result, there were a total of 208 work years of inspection performed.

When this total work force is divided among the 50 states, it shows an average of approximately four work years, or four equivalent individuals, for each state. Certainly, this is a very small number with which to ensure the many hundreds of millions of shipments of hazardous materials comply with federal regulations.

Emergency responders need to be familiar with the activities of the federal Department of Transportation, since so much of the information needed at the scene of an incident is required by this group. Individuals who would like to receive a full copy of the 1987 Annual Report can write to: U.S. Department of Transportation, Research and Special Programs Administration, Information Services Division, Washington, D.C. 20590.

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"bikers" who had been casual acquaintances of her estranged husband. He reportedly purchased drugs from them and also attended some of their parties. The daughter finally indicated at this point that she, too, had been a frequent drug user. She assisted investigators by riding along with them and pointing out various homes where the suspects might stay or conduct their "business."

During the next several days, the investigators interviewed possible suspects and actually arrested one, for outstanding warrants. He was interviewed about the fire, but was convincing about not being involved. He did provide information on another possible suspect.

Both of these potential suspects only marginally matched the descriptions, however, and there was no connection with a black Mustang.

A short interview with the new suspect revealed that he was apparently a "fence" for stolen goods, a fact investigators discovered when they visited his home. Interestingly, the suspect had three television sets in his living room, two in an adjoining kitchen and at least two others in bedrooms. The television set missing from the fire victims' residence had had significant damage on its side that would make it readily identifiable, but this set was not seen.

The suspect was somewhat candid in his conversations with the arson investigators, as they introduced themselves as "firemen." He apparently felt that they lacked the knowledge and experience to be any threat. The statements made by the suspect and the incriminating evidence seen at the home constituted probable cause to obtain a search warrant to thoroughly examine the small home.

The search, the next day, did not reveal any stolen items from the burned home. However, other detectives assisting in the search recognized many items stolen in burglaries around the area, including guns, jewelry and several of the televisions. There was insufficient evidence to link him to the fire, but he was arrested for receiving stolen property. He was released on bail that same day.

Continuing their investigation, arson investigators obtained two other search warrants in neighboring jurisdictions, still hoping to turn up the

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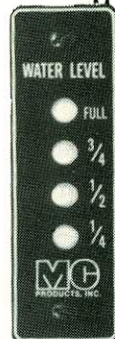


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missing items. Narcotics, more guns and other stolen goods were found in the raids, clearing a large number of cases for other cities, but, still, no evidence for the arson case was revealed.

None, that is, except for one small, but notable exception. The original conversation with the "fence" had included his bragging about a vintage sword he had. A quick call to the fire victim revealed that he was, in fact, missing a German military sword.

After two weeks, a major breakthrough came. The "fence" was arrested by burglary detectives in a neighboring jurisdiction. He was implicated in at least two major commercial burglaries and was now looking at hard time. He wanted to "make a deal."

During the search of his home connected with this arrest, the arson victims' passports and phone book were found under a chair cushion by detectives. These important items may or may not have been missed by the arson investigators during the first search. They were looking for paintings, TVs and tapestries, and failed to look where these items couldn't be found. At that point, they hadn't known that these items were missing.

The arson investigators visited the "fence" in his jail cell. The suspect, now a firm believer in the powers of the "firemen with guns," confessed to his involvement in setting the fire. His scenario of the arson/burglary conveniently kept him outside of the house during the theft and ignition.

Being very "street-wise," he avowed that he only drove the getaway car. An assistant known only by a street name, actually did the dirty work. While evasive, the "fence" did reveal an extremely-important

fact: He was hired to do the job by the son-in-law of the victims.

Several different versions of the scenario were given by the suspect during the interview but basic facts remained solid. A clearer insight into the motive for the fire was also provided by the snitch when he added that he was hired by the son-in-law to torch the house in order to both eliminate a place for his ex-wife to stay and destroy the sportswear business.

The son-in-law's warped idea was to also eliminate the financial ability of the parents to support his wife and child. He felt that her parents' inability to house or assist her would result in her return to him.

The substantial gasoline pour in the laundry room was to destroy the sportswear business. Additionally, the suspect confirmed that the pick and axe had to be left behind when the gasoline unexpectedly flashed.

The district attorney's office was approached for an arrest warrant for the son-in-law. It was refused. More reliable information was needed.

Further investigation turned up a copy of a check written to the primary suspect in payment for setting the fire. Two suspects who had received the stolen goods were found, as well as the second arson suspect. The informant's story was now considered reliable enough for a warrant.

The former son-in-law was arrested and charged with arson, burglary, conspiracy and, later, threatening a witness. The second suspect was also arrested. His story of the arson/burglary was much more believable than the original suspect's. He also divorced himself from setting the fire, saying that he stayed outside after assisting with the burglary, which was probably the case.

Unfortunately, the district attorney had already struck a deal with the first

informant/suspect. He pled guilty to burglary and was sentenced to a maximum of one year in jail. He, in return, was ordered to tell the story of the arson.

His story, under oath, was an obvious fabrication, and the jury totally disregarded his statements. The arson investigator's own expertise was used by the defense to totally discredit the informant's description of the events. The way the informant told it, it could not have possibly even happened.


As a result, the second suspect's confession of burglary and arson was also closely analyzed by the jury during deliberations that took three days. The jury had also misunderstood a jury instruction about confessions and found both the son-in-law and the second suspect "not guilty" of the crimes. In this instance, the use of a snitch was instrumental in the destruction of a good case.

Although over 600 manhours were spent bringing this case to trial, they were not wasted hours. The investigators involved learned a valuable lesson in case procedures and court presentations and gained important insight into various other related crimes.

It reemphasized the lesson that arson investigators must be familiar with thefts, stolen property, narcotics and the interrelationship of these crimes. Stolen goods are frequently traded for drugs, as well as money, then re-traded for other merchandise.

It is interesting to note that none of the items stolen from the house before the fire were ever found. The goods were re-traded so many times that they just couldn't be traced. Although the son-in-law walked away free, the second suspect, ironically, was arrested during the three-week-long trial and later convicted of several other, unrelated crimes.

The "snitch" did his one year and was later sent to Wisconsin to finish off a three-year sentence for escaping from a state prison work farm four years before. It was also discovered that his identity was fabricated and he had actually been convicted of insurance fraud arson 10 years before, also in Wisconsin.

Although seriously underinsured, the victims rebuilt their home at the same location. Their daughter was arrested several times over the next three years and subsequently had her child taken away from her. The fire victims took custody of the child. 



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